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I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: March 25, 2011 Name: Jasper W. Dockrey, Reg. No. 33,868 Signature: /Jasper W. Dockrey/

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Yasuyuki KAWASHIMA

Appln. No.: 10/821,732

Filed: April 8, 2004

For: METHODS FOR MEASURING BACTERIA,
BACTERIA MEASURING APPARATUSES,
AND STORAGE MEDIA FOR STORING
COMPUTER-EXECUTABLE PROGRAMS
FOR ANALYZING BACTERIA

Attorney Docket No.: 11333/38 (1-2002-090US)

Examiner: Kailash C. Srivastava

Art Unit: 1657

Conf. No.: 1524

TRANSMITTAL

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

Amended Appeal Brief.

Fee calculation:

No additional fee is required.

Small Entity.

An extension fee in an amount of \$_____ for a _____-month extension of time under 37 CFR § 1.136(a).

A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(_____.)

An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	OR	Rate
Total		Minus			x \$26=			x \$52=
Indep.		Minus			x 110=			x \$220=
First Presentation of Multiple Dep. Claim					+\$195=			+\$390=
					Total	\$	Total	\$

Fee payment:

Please charge Deposit Account No. 23-1925 in the amount of \$_____ for _____.

Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

March 25, 2011

Date

/Jasper W. Dockrey/

Jasper W. Dockrey (Reg. No. 33,868)